



POLICE DEPARTMENT

-----X  
In the Matter of the Disciplinary Proceedings :

- against - :

FINAL

Police Officer Manuel Cantoralonso :

ORDER

Tax Registry No. 945155 :

OF

Housing PSA 7 :

DISMISSAL  
-----X

Police Officer Manuel Cantoralonso, Tax Registry No. 945155, having been served with written notice, has been tried on written Charges and Specifications numbered 2019-20196 and 2019-21211, as set forth on form P.D. 468-121, respectively dated May 6, 2019, and November 15, 2019 (amended on November 9, 2020), and after a review of the entire record, Respondent is found Guilty.

Now therefore, pursuant to the powers vested in me by Section 14-115 of the Administrative Code of the City of New York, I hereby DISMISS Police Officer Manuel Cantoralonso from the Police Service of the City of New York.

  
DERMOT F. SHEA  
POLICE COMMISSIONER

EFFECTIVE:

9/8/21

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POLICE DEPARTMENT

August 10, 2021

-----X

In the Matter of the Charges and Specifications	:	Case Nos.
- against -	:	2019-20196
Police Officer Manuel Cantoralonso	:	2019-21211
Tax Registry No. 945155	:	
Housing PSA 7	:	

-----X

At: Police Headquarters  
One Police Plaza  
New York, NY 10038

Before: Honorable Jeff S. Adler  
Assistant Deputy Commissioner Trials

APPEARANCES:

For the Department: Nicole Juliano, Esq.  
Jamie Moran, Esq.  
Department Advocate's Office  
One Police Plaza  
New York, NY 10038

For the Respondent: Michael Martinez, Esq.  
Worth, Longworth & London, LLP  
111 John Street, Suite 640  
New York, NY 10038

To:

HONORABLE DERMOT F. SHEA  
POLICE COMMISSIONER  
ONE POLICE PLAZA  
NEW YORK, NY 10038

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## CHARGES AND SPECIFICATIONS

Disciplinary Case No. 2019-20196

1. Said Police Officer Manuel Cantoralonso, on or about December 2, 2018, while off-duty and assigned to the 90th Precinct, engaged in conduct prejudicial to the good order, efficiency, or discipline of the Department, to wit: said Police Officer Cantoralonso consumed an intoxicant to the extent that he was unfit for duty.

P.G. 203-04, Page 1, Paragraph 2

FITNESS FOR DUTY

Disciplinary Case No. 2019-21211

1. Said Police Officer Manuel Cantoralonso, on or about October 25, 2019, while off-duty and assigned to Housing Borough Bronx/Queens, engaged in conduct prejudicial to the good order, efficiency, and discipline of the Department, to wit: said Police Officer Cantoralonso engaged in a physical altercation with his wife, [REDACTED]

P.G. 203-10, Page 1, Paragraph 5

PUBLIC CONTACT –  
PROHIBITED CONDUCT

2. Said Police Officer Manuel Cantoralonso, on or about October 25, 2019, while off-duty and assigned to Housing Borough Bronx/Queens, engaged in conduct prejudicial to the good order, efficiency, and discipline of the Department, to wit: said Police Officer Cantoralonso engaged in a physical altercation with his wife while in the presence of his two (2) minor children.

P.G. 203-10, Page 1, Paragraph 5

PUBLIC CONTACT –  
PROHIBITED CONDUCT

3. Said Police Officer Manuel Cantoralonso, on or about and between October 25, 2019, and October 26, 2019, while off-duty and assigned to Housing Borough Bronx/Queens, engaged in conduct prejudicial to the good order, efficiency, and discipline of the Department, to wit: said Police Officer Cantoralonso consumed an intoxicant to the extent that he was unfit for duty.

P.G. 203-04, Page 1, Paragraph 2

FITNESS FOR DUTY

4. Said Police Officer Manuel Cantoralonso, on or about October 25, 2019, while off-duty and assigned to Housing Borough Bronx/Queens, engaged in conduct prejudicial to the good order, efficiency, and discipline of the Department, to wit: said Police Officer Cantoralonso engaged in a physical altercation with his adult son, an individual whose name is known to the Department. *(As added)*.

P.G. 203-10, Page 1, Paragraph 5

PUBLIC CONTACT  
PROHIBITED CONDUCT

## REPORT AND RECOMMENDATION

The above-named member of the Department appeared before me on June 29, 2021. Under *Case No. 2019-20196*, Respondent, through his counsel, pleaded Guilty to the one specification, and testified in mitigation. In *Case No. 2019-21211*, Respondent pleaded guilty to Specification 3, and pleaded Not Guilty to the remaining three charges. The Department Advocate called Police Officer Alexander Leon, Lieutenant Adam Dumelle, and Sergeant Victor Torres as witnesses. Respondent testified on his own behalf. A stenographic transcript of the trial record has been prepared and is available for the Police Commissioner's review. Having reviewed all of the evidence in this matter, I find Respondent Guilty of all the charges, and recommend that he be DISMISSED from the Department.

## ANALYSIS

Respondent faces specifications stemming from two separate matters. In *Case No. 2019-20196*, Respondent is charged with being unfit for duty on December 2, 2018. Respondent has pleaded guilty to that charge, and offered testimony seeking mitigation of the penalty. In the second matter, *Case No. 2019-21211*, Respondent faces charges stemming from an alleged physical altercation with his wife and adult son on October 25, 2019. Respondent has pleaded guilty to Count 3 of that case, which alleges that he was unfit for duty, but has contested the remaining charges. As will be discussed below, Respondent has claimed that at the time of each incident, he was abusing alcohol, which affected his actions in both matters.

### *Case No. 2019-20196 (Unfit for duty)*

The one specification in this matter charges Respondent with being unfit for duty on December 2, 2018. Respondent admitted his guilt, testifying that on that evening he was with his

visiting brother and two of his brother's friends. Between them, they drank approximately two six-packs inside Respondent's apartment to celebrate the brother's imminent departure back to Mexico. Soon after exiting the apartment, Respondent's brother was assaulted by the two friends. Respondent testified that when he approached one of the assailants, he, too, was struck by one of the individuals, suffering a gash to his forehead. Respondent called 911 and police officers responded. Respondent was found unfit for duty, but was not charged with any additional wrongdoing. (Tr. 89-92)

Respondent admitted that he was unfit for duty because of the beer he consumed that night. He testified that he was drinking a lot at that time. The Department directed Respondent to attend a six-week counseling program, which he completed. Respondent testified that he realizes now that he would have benefited from additional counseling after that incident. During the six-week program, and for a short time afterward, Respondent did not drink alcohol. However, a few months later he resumed drinking. (Tr. 90, 93, 108, 116)

*Case No. 2019-21211 (Physical altercation)*

It is charged that on October 25, 2019, Respondent wrongfully engaged in physical altercations with his wife and his oldest son; the altercation with his wife allegedly occurred in the presence of their two minor children, who were ages 12 and 13 at the time. Respondent also is charged with being unfit for duty on that date; he has admitted his guilt on that count.

It is undisputed that earlier in the evening, Respondent and his wife were having dinner at a restaurant, where they both drank sangria. On the car ride home, Respondent and his wife argued about infidelity, although it is unclear who was accusing whom: according to Respondent, his wife was upset because he was involved in a relationship with another woman, with whom he had two children, while Respondent's wife stated that Respondent was accusing

her of cheating, which she denied. When Respondent and his wife returned to their apartment, the argument escalated. The precise details of the ensuing altercation are in dispute.

Neither Respondent's wife nor their children appeared to testify at trial, despite being subpoenaed to appear. Instead, the Advocate introduced into evidence recordings of two 911 calls made by the sons, previously recorded statements that Respondent's wife and oldest son provided to investigators when they were interviewed inside the apartment immediately after the incident, and a DIR prepared by the responding sergeant at the scene. It is well-settled that hearsay evidence is admissible in administrative proceedings, and may form the sole basis for a finding of fact. The hearsay, however, must be carefully evaluated to determine whether it is sufficiently reliable. It is preferable to have testimony from live witnesses, where opposing counsel has the opportunity to cross examine, and the court can observe the witnesses' demeanors. In the absence of live testimony from the wife and sons here, this tribunal carefully considered their multiple prior statements.

As the incident was unfolding inside the apartment, the 13-year-old son called 911. A recording of that call, along with the accompanying transcript, were admitted into evidence as Dept. Ex. 7 & 7A. In that call, the younger son states that his parents are fighting. There is screaming back and forth in the background. The oldest son then comes on the line and states that his father was beating his mom, and swung at him as well. He adds that she was stomped on and punched. (Dept. Ex. 7A at 2-4) That 911 call was followed soon after by another, which also was admitted into evidence (Dept. Ex. 8 & 8A). In the follow-up recording, the oldest son confirms that his father was hitting his mother in the face, "stomping on her stomach," and "pulling her hair." He asks his mother if she needs an ambulance, and she says that she is okay. She repeatedly states that she is sorry, and that Respondent needs help. The son states that both of his parents were under the influence of alcohol. (Dept. Ex. 8A at 2-4, 9-10)



Police Officer Alexander Leon testified that he responded to the apartment and was met by the three sons. The oldest son told him that he was in another room when he heard his parents fighting. The son went to the bedroom and observed Respondent “stomping” on their mother. He also saw his parents swinging at each other. He and one of his brothers went into the room to stop the assault, and the oldest son pushed Respondent in an attempt to prevent him from hitting their mother. (Tr. 24-25, 42-43)

While inside the apartment, Officer Leon also spoke with Respondent’s wife, who stated that Respondent needed help. She provided Officer Leon with a detailed account of what had just transpired between her and Respondent; the officer summarized that statement in a DIR he prepared inside the apartment (Dept. Ex. 1). In essence, Respondent’s wife told the officer that when they arrived home, Respondent pulled her by her hair to get her out of the car. Once inside the apartment, Respondent grabbed her by her hair, pushed her to the ground, and kicked her. Their oldest son came into the room and intervened, and he and Respondent became involved in a physical altercation, during which the son sustained a minor laceration to his lip. One of the sons called the police, and Respondent left the location. Respondent’s wife, herself, wrote and signed a brief statement as part of the DIR, in which she stated that Respondent accused her of cheating, pushed her to the ground, and started kicking her. (Dept. Ex. 1; Tr. 25, 30, 33-34, 38, 40)

Officer Leon testified that Respondent’s wife appeared to be intoxicated. He did not observe any visible injuries to the wife; she did not complain of any pain, and refused medical attention. Officer Leon did, however, see her “clutching at her stomach, bending over,” as if she were in pain. The officer also observed that the oldest son had a visibly swollen lip. (Tr. 25-26, 41-43)

Footage from the Body-Worn Cameras of Officer Leon and his partner was admitted into evidence as Dept. Ex. 2. In that footage, the officers enter the apartment and speak first with the three sons. The oldest son states that he and his brothers heard Respondent hitting their mother; the oldest son went into the room, saw Respondent stomping on her, and pushed Respondent out. Approximately three minutes into the footage, Respondent's wife walks out to where the officers are standing, with support from her oldest son. She confirms that she was drinking, says things got out of hand, and repeatedly states that Respondent needs help. When asked whether she is hurt, Respondent's wife says that she is "okay." Near the end of the footage, she states that Respondent thinks she cheated on him, which was untrue.

Sergeant Victor Torres of Brooklyn North Investigations testified that he responded to the location on the date of the incident, where he observed Respondent's wife and three sons. The wife was distraught and disheveled, and appeared to be intoxicated. Torres spoke with Respondent's wife and oldest son together inside the apartment; a recording of that conversation, and the accompanying transcript, were admitted as Dept. Ex. 6 & 6A. In that interview, Respondent's wife stated that Respondent thought she was cheating, they argued, and then "he got violent." Specifically, Respondent started kicking her and pushed her. She tried to defend herself, and her left wrist was injured; Respondent's wife stated that the wrist was the only part of her body where she was experiencing pain at the moment. At some point, her sons walked in, led by the oldest son. (Dept. Ex. 6A at 3-6, 20; Tr. 60-61, 67, 79)

About half way through the interview, Respondent's wife stepped away and Torres questioned the oldest son, who stated that one of his brothers told him that their father was hitting their mother. The oldest son heard his parents screaming, and his father cursing his mother. He ran to the bedroom and observed his mother on top of laundry bags, with his father stomping on her stomach. His father also gripped her hair as she was on her knees struggling to



get free. The oldest son, and one of his brothers, pushed Respondent away. During the ensuing struggle, Respondent struck the oldest son in the lip. (Dept. Ex. 6A at 10-15, 18; Tr. 68)

While still at the apartment, Sergeant Torres took photographs of the injuries to Respondent's wife and older son. Two photographs of the wife (Dept. Ex. 4A & 4B) depict a diagonal bruise on her left wrist, while a photograph of the oldest son (Dept. Ex. 5) shows swelling to the left side of his lower lip. Torres also took photographs of the bedroom where the alleged physical altercation between Respondent and his wife occurred (Resp. Ex. A-E). (Tr. 64-66, 68-71, 77-79)

Lieutenant Adam Dumelle testified that on the day of the incident, he was a sergeant working Anti-Crime. He received information as to the whereabouts of Respondent, and responded to that location, where he observed Respondent exiting an apartment. Respondent identified himself, and was arrested without incident. According to Dumelle, Respondent was wobbly on his feet, had glassy, bloodshot eyes, a strong smell of alcohol, and his clothing was disheveled. Dumelle determined that Respondent was unfit for duty, and prepared a report documenting that conclusion (Dept. Ex. 3). Dumelle also noticed that Respondent had a bruised right eye. After being brought to the local precinct, Respondent was transported to a hospital for the injury to his eye. (Tr. 49-52, 54-57)

Respondent testified that when he and his wife returned to their apartment from the restaurant, she was upset and cursing loudly at him regarding his infidelity. They were alone in their bedroom with the door closed; their three sons, ages 19, 13, and 12 at the time, were elsewhere in the apartment. Respondent tried to calm her, but the argument escalated and they were screaming at each other. When Respondent told his wife that he wanted to leave the apartment, she became more agitated and physically tried to stop Respondent by throwing her arms around him. However, his wife was intoxicated and unsteady on her feet, and she slid

down to the floor, onto a pile of laundry, pulling Respondent down too. Respondent continued to try to get away, and his wife asked whether he was going to “the other bitch’s house.” (Tr. 95-99, 125-26)

At that point, the bedroom door opened and Respondent was punched in his left eye from behind by his oldest son. According to Respondent, he was not hitting or stomping on his wife; he merely was trying to stand up and leave. Respondent speculated that to his oldest son, “it looked like I was stomping her or kicking her,” but that he misinterpreted what he saw. The oldest son continued to swing at Respondent, while asking why he was hitting his mother. Respondent tried to push the son away, while explaining that he was not hitting her, and that he was just trying to leave. Respondent testified that he did not hit his oldest son, and that the two younger children were not present during his altercation with his wife. Eventually Respondent was able to exit, and he went to the apartment of the other woman with whom he had two other children. When he heard the sounds of police officers outside the apartment, Respondent exited and was placed under arrest. The charges against Respondent were dismissed in criminal court approximately three months after arraignment, as was the family court case after approximately six-to-eight months. The orders of protection also were dismissed, and Respondent is back living with his family without incident. (Tr. 99-107, 126-30)

Respondent admitted that during the incident in the apartment, he was intoxicated and unfit for duty based on the “two-or-three sangrias” he consumed at the restaurant. After his arrest, he completed ten weeks of parenting counseling through family court, as well as a 26-week domestic violence course. Through the Department, Respondent also did eight additional weeks of domestic violence counseling, as well as an 18-week alcohol abuse program, where he met once a week for two hours with a counselor, and also did outpatient counseling. During that time-period, Respondent was regularly tested for alcohol, and the results were negative. Indeed,

Respondent testified that he has not consumed any alcohol since the date of this incident, and that he is very embarrassed by his behavior in this matter. (Tr. 94, 97, 105-08)

Counsel for Respondent correctly points out that since neither Respondent's wife nor their oldest son appeared to testify at trial, counsel did not have the opportunity to cross-examine them about the details of their version of events. He argues that the hearsay statements in this matter are unreliable. However, the credibility of their accounts was enhanced by the fact that Respondent's wife and oldest son promptly and consistently related their allegations multiple times to different law enforcement personnel. In the 911 call, the oldest son reports that his father was beating his mom, that he hit her, stomped on her stomach, and pulled her hair, and that he swung at the son as well. When Officer Leon arrived at the apartment, Respondent's wife and son again provided detailed accounts of Respondent's actions, which were memorialized in the DIR (Dept. Ex. 1); in the DIR, the wife, herself, wrote that Respondent pushed her to the ground and started kicking her. Respondent's wife and oldest son then made essentially the same statements in their recorded interviews with Sergeant Torres (Dept. Ex. 6 & 6A).

Throughout multiple tellings, Respondent's wife does not appear to be embellishing her account in order to cause trouble for Respondent; rather, she repeatedly expresses concern that Respondent get help. Also, despite denying that he struck his wife or oldest son, Respondent, himself, provided some corroboration of their accounts. He admitted that he and his wife had been drinking, that they were arguing about infidelity, and that their argument escalated and became physical inside the apartment.

With that in mind, we turn to the four charges against Respondent.

Specification 3 charges Respondent with being unfit for duty on October 25, 2019. As with the December 2, 2018 incident, Respondent has pleaded guilty to that charge, and offered

the same explanation he provided in the other matter, namely, that he had a problem with alcohol, for which he now has received adequate counseling.

Specifications 1 and 4 charge Respondent with wrongfully engaging in physical altercations with his wife and oldest son, respectively. Respondent denies doing so, claiming that his wife wrapped her arms around him to try to stop him from leaving, and that she merely fell onto a pile of laundry. Respondent suggests that the oldest son might have misinterpreted what he saw, and mistakenly believed that Respondent was stomping on their mother. After carefully reviewing the evidence, I reject that self-serving suggestion. As noted above, Respondent's wife made multiple statements to law enforcement about how Respondent grabbed her by the hair, pushed her to the ground, and kicked her. Although she afterward refused medical attention and said she was fine, she did complain of pain to her wrist from trying to defend herself, and photographs in evidence (Dept. Ex. 4A & 4B) appear to confirm that she had a bruise to her wrist. Officer Leon also observed that Respondent's wife was "clutching" her stomach as if in pain. Moreover, her account was convincingly corroborated by the statements of the oldest son, who provided multiple detailed accounts of how he observed Respondent stomping on his mother.

Respondent also denies striking the oldest son, claiming that it was the son who was swinging at him. However, that claim, too, is contradicted by the credible evidence, namely the detailed account of what transpired provided by the oldest son. Additionally, Officer Leon credibly testified that he observed that the son had a visibly swollen lip, and the body cam footage shows an EMT on the scene confirming that the son had "a little bump" on his lip. A photograph in evidence (Dept. Ex. 5) also shows what appears to be swelling to the left side of his lower lip.

The credible evidence has established that Respondent wrongfully engaged in a physical altercation with his wife, during which he pulled her by her hair, pushed her to the ground, and kicked her. When the oldest son attempted to intervene on his mother's behalf, Respondent wrongfully struck him as well, hitting the son in the mouth and causing an injury to his lower lip. Accordingly, I find Respondent guilty of Specifications 1 and 4.

Specification 2 charges Respondent with wrongfully engaging in the physical altercation with his wife in the presence of their two minor children, who were ages 12 and 13 at the time. Although the physical altercation between Respondent and his wife originated inside their bedroom, the sounds of their struggle and screaming were audible to the children. Initially, it was the 13-year-old son who called 911 and told the operator that his parents were fighting, and that his father was hitting his mother. (Dept. Ex. 7A at 2) In her interview with Sergeant Torres, Respondent's wife described how her sons walked into the bedroom where the altercation occurred. The oldest son stated that his brother told him that their father was screaming at their mother and hitting her, which led the oldest son to run into the room and intervene. (Dept. Ex. 6A at 5-6, 11)

As such, the record has established, by a preponderance of the credible evidence, that Respondent engaged in a physical altercation with his wife in the presence of their two minor children. Accordingly, I find Respondent guilty of Specification 2.

## PENALTY

In order to determine appropriate penalties, this tribunal, guided by the Department's Disciplinary System Penalty Guidelines ("Disciplinary Guidelines"), considered all relevant facts and circumstances, including any aggravating and mitigating factors established in the record. Respondent's employment history also was examined (*See* 38 RCNY § 15-07). Information

from his personnel record that was considered in making this penalty recommendation is contained in an attached memorandum. The Department has recommended that Respondent be terminated based on his conduct in these two cases. I agree with that recommendation.

Respondent, who was appointed to the Department on July 18, 2007, has been found guilty of each of the charges against him. He pleaded guilty to two of those charges, for being unfit for duty on two separate occasions, due to his consumption of alcohol. Respondent was candid in acknowledging that he had a problem with alcohol, and it was encouraging to hear him report that after his latest counseling, he has stopped drinking. Nevertheless, the presumptive penalty under the Disciplinary Guidelines for being unfit for duty is 30 penalty days, dismissal probation, ordered breath testing, and cooperation with counseling.

Of even greater concern is Respondent's conduct during the case involving his wife and sons. What started as a verbal argument escalated into a dangerous physical altercation, during which Respondent grabbed his wife by the hair and pushed her to the ground, where he proceeded to kick her in the stomach. Respondent's actions were so serious that the oldest son needed to physically intervene on his mother's behalf. The son, himself, suffered swelling to his lip where Respondent struck him.

The presumptive penalty for a physical act of domestic violence under the Disciplinary Guidelines is 30 suspension days, dismissal probation, and counseling. However, the aggravated penalty for such misconduct, termination, is warranted here: Respondent committed separate acts of domestic violence against ~~two~~ family members, each of whom he injured. Respondent was under the influence of alcohol at the time, and he engaged in this conduct inside an apartment where his three sons, ages 12, 13, and 19 were present and at risk due to Respondent's intoxicated and belligerent state. Respondent then left the scene before police officers responded. This egregious conduct, coupled with it being the second time in less than one year

where he was unfit for duty due to excessive alcohol consumption, raises serious concerns about Respondent's ability to continue to serve as a police officer. Respondent was immediately suspended following the October 25, 2019 incident; he subsequently was modified on November 29, 2019, and has remained on modified status since then.

Police officers are entrusted with the responsibility of protecting the public. Members of the service are required to maintain the standards established by the Department for their conduct whether on or off duty. A UMOS carries with him, at all times, the responsibility for the safety of the community. Notwithstanding his progress in dealing with his alcohol problem, Respondent, with his actions, has demonstrated that he cannot reliably be trusted to control his behavior in a way that is expected of a member of this Department. Taking into account the totality of the facts and circumstances in these matters, I recommend that Respondent be DISMISSED from the New York City Police Department.

Respectfully submitted,



Jeff S. Adler  
Assistant Deputy Commissioner Trials

**APPROVED**  
SEP 06 2021  
  
DERMOT SHEA  
POLICE COMMISSIONER





## POLICE DEPARTMENT CITY OF NEW YORK

From: Assistant Deputy Commissioner – Trials

To: Police Commissioner

Subject: SUMMARY OF EMPLOYMENT RECORD  
POLICE OFFICER MANUEL CANTORALONSO  
TAX REGISTRY NO. 945155  
DISCIPLINARY CASE NOS. 2019-20196 & 2019-21211

Respondent was appointed to the Department on July 18, 2007. On his three most recent annual performance evaluations, he received ratings of “Meets Standards” for 2020, “Exceeds Expectations” for 2019, and “Exceptional” for 2018. He has been awarded five medals for Excellent Police Duty.

Respondent has no disciplinary record. In connection with *Case No. 2019-20196*, Respondent was placed on Level 1 Discipline Monitoring in February 2019. After the underlying incident in *Case No. 2019-21211*, he was upgraded to Level 2 Discipline Monitoring; that monitoring remains ongoing. Also in connection with that second incident, Respondent was suspended without pay from October 26, 2019, to November 28, 2019; he was modified on November 29, 2019, and has remained on modified status since then.

For your consideration.

Jeff S. Adler  
Assistant Deputy Commissioner Trials